

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

PRESTON PORTIS, JR.,

Petitioner,

Case No. 1:09cv846

v.

Hon. Robert J. Jonker

PATRICIA CARUSO, et al.,

Respondent.

\_\_\_\_\_/

**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on January 24, 2011. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed January 24, 2011, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that the motion for summary judgment by R.N. Habtemariam is **GRANTED**. Defendant Habtemariam is **DISMISSED** from this case.

\_\_\_\_\_  
/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE

DATED: February 24, 2011.